

Monthly MCO Compliance Report

Medallion 4.0 May 2020 Deliverables



Health Care Services Division

August 14, 2020

Monthly MCO Compliance Report

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Contents

| | |
|--------------------------------------|----|
| Compliance Points Overview..... | 2 |
| Summary..... | 3 |
| Aetna Better Health of Virginia..... | 4 |
| Anthem Healthkeepers Plus..... | 7 |
| Magellan Complete Care..... | 10 |
| Optima Health..... | 12 |
| UnitedHealthcare..... | 15 |
| Virginia Premier..... | 18 |
| Next Steps..... | 21 |

Compliance Points Overview

| MCO | Prior Month Point Balance | Point(s) Incurred for Current Month* | Point(s) Expiring from April 2020 | Final Point Balance* | Area of Violation: Finding or Concern |
|----------------------|---------------------------|--------------------------------------|-----------------------------------|----------------------|---|
| <u>Aetna</u> | 5.0 | 0 | 0 | 5.0 | CONCERNS Late/Missing Data Submission EI Claims Issue |
| <u>Anthem</u> | 9.0 | 0 | 0 | 9.0 | CONCERNS EI Claims Issue Data Submission Error MCO Call Center Stats Late/Missing Data Submissions |
| <u>Magellan</u> | 9.0 | 0 | 0 | 9.0 | CONCERNS Data Submission Error Late/Missing Data Submission EI Claims Issue |
| <u>Optima Health</u> | 4.0 | 0 | 0 | 4.0 | CONCERNS EI Claims Issue Data Submission Error Late/Missing Data Submissions |
| <u>United</u> | 3.0 | 0 | 0 | 3.0 | CONCERNS Late/Missing Data Submissions |
| <u>VA Premier</u> | 19.0 | 0 | 0 | 19.0 | CONCERNS MCO Call Center Stats EI Claims Issue Data Submission Errors Late/Missing Data Submissions Untimely internal appeals |

**All listed point infractions are pending until the expiration of the 15-day comment period.*

Notes:

-**Findings**- Area(s) of violation; point(s) issued.

-**Concerns**- Area(s) of concern that could lead to potential findings; **no** points issued.

-**Expired Points**- Compliance points expire 365 days after issuance. Thus, all points issued in May 2019 (Issue date: 6/15/2019) expire on 6/15/2020 and are subtracted from the final point balance.

Summary

The **Compliance Review Committee (CRC)** met on July 1, 2020 to review deliverables measuring performance for May 2020 as well as other reported program issues. The CRC consists of five managers and supervisors from the Health Care Services division who vote on what, if any, compliance enforcement actions to take in response to identified issues of potential non-compliance.

Due to the current emergency crisis during COVID-19, Health Care Services (HCS) Compliance Unit will exercise its enforcement discretion and may not issue points and/or financial penalties on identified issues of non-compliance during this period, unless the identified areas of non-compliance are egregious violations. HCS Compliance Unit will continue to monitor and document areas of noncompliance through issuance of Notices of Non-Compliance. The Department will expect health plans to come into compliance with all aspects of the Medallion 4.0 contract prior to the end of the emergency period.

The CRC voted to issue no compliance points to managed care organizations (MCOs) for failure to meet contractual requirements/thresholds, untimely deliverable submissions, data reporting errors, and untimely payment of early intervention (EI) claims.

Each MCO's compliance findings and concerns are further detailed below. Data related to the Health Care Services Division's compliance activities are also included. The Department communicated the findings of its review of May's compliance issues in letters issued to the MCOs on July 6, 2020.

Aetna Better Health of Virginia

Findings:

- No findings

Concerns:

- **Untimely Payment of EI Claims:** DMAS timely received the May 2020 Early Intervention Services Report deliverable from Aetna. Upon review, the Compliance Unit discovered that the report indicated that Aetna failed to adjudicate one (1) clean claim for EI services within 14 days of its receipt in May 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, Aetna violated the terms of the Medallion 4.0 contract in failing to adjudicate one clean claim for EI services within 14 days of its receipt.

The Department requests that Aetna Better Health adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, Aetna be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2934)**

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Report deliverable from Aetna. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment was 379 less members as compared to the May End of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Aetna violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above

The Compliance Team recommended that in response to the issue identified above, Aetna be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. (CES # 2957)

- **Data Submission Error:** The Department timely received the May 2020 Foster Care Transition Planning Report from Aetna. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, Aetna submitted the monthly report with an error rate of 100%. Aetna's report included (3) blank columns for Help Scheduling Appointments, Medical Care Education, and Behavioral Health Care Education. Also, the member enrollment in this report was 43 less members as compared to the May End of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Aetna violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Aetna be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. (CES # 2935)

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- **Case # 2161:** May 2019 – Untimely Submission – Foster Care Barrier Report. 1 point was removed from Aetna's total by closing **CES # 2161**

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, Aetna showed a very high level of compliance. Aetna timely submitted 23 required monthly reporting deliverables and those deliverables did not expose any programmatic issues. One monthly deliverable failed to meet contract adherence requirements for EI claims adjudication within 14 days (addressed above in **CES # 2934**). Two reporting deliverables contained minor data errors (addressed above in **CES # 2935 & 2957**). In summation, Aetna complied with most applicable regulatory and contractual requirements.

Anthem HealthKeepers Plus

Findings:

- No findings

Concerns:

- **Untimely Deliverable Submission:** Anthem failed to timely submit the Pharmacy Prior Authorization Report due to the Department on May 15, 2020. According to Section 8.7.M of the Medallion 4.0 Contract and Section 1.8.45.1 of the Medallion 4.0 Deliverables Technical Manual, the Pharmacy Prior Authorization Report is to be submitted by close of business on the 15th calendar day of the month following the end of the reporting month.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format and layout specified by DMAS. Thus, Anthem violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2892)**

- **Untimely Payment of EI Claims:** DMAS timely received the May 2020 Early Intervention Services Report deliverable from Anthem. Upon review, the Compliance Unit discovered that the report indicated that Anthem failed to adjudicate two (2) clean claims for EI services within 14 days of its receipt in May 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, Anthem violated the terms of the Medallion 4.0 contract in failing to adjudicate seven clean claims for EI services within 14 days of its receipt.

The Department requests that Anthem Healthkeepers adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract

compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2890)**

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Monthly Report deliverable from Anthem. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment was 3399 less members as compared to the May End of Month 834 report. Additionally, Anthem incorrectly identified High Risk members as receiving postpartum care but these members were listed as prenatal members.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Anthem violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2956)**

- **Data Submission Error:** The Department timely received the May 2020 Foster Care & Adoption Assistance Member Care Coordination Report from Anthem. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report reflected 1039 less members as compared to the May End of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Anthem violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Anthem be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2955**).

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, Anthem showed a moderate level of compliance. Anthem timely submitted 22 out of 23 required monthly reporting deliverables. Anthem failed to timely submit the Pharmacy Prior Authorization Report (addressed above in **CES # 2892**). The deliverables submitted did not expose any programmatic issues. One monthly deliverable failed to meet contract adherence requirements for EI claims adjudication within 14 days (addressed above in **CES # 2890**). Two reporting deliverables contained minor data errors (addressed above in **CES # 2955 & 2956**). In summation, Anthem complied with most applicable regulatory and contractual requirements.

Magellan Complete Care

Findings:

- No findings

Concerns:

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Report deliverable from Magellan. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report contained 226 less members as compared to the May End of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Magellan violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above

The Compliance Team recommended that in response to the issue identified above, Magellan be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2958)**

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, Magellan showed a high level of compliance. Magellan timely submitted all 23 required monthly

reporting deliverables, and those deliverables did not expose any programmatic issues. One reporting deliverable contained minor data errors (addressed above in **CES # 2958**). In summation, Magellan complied with nearly all applicable regulatory and contractual requirements.

Optima Health

Findings:

- No findings

Concerns:

- **Untimely Payment of EI Claims:** DMAS timely received the May 2020 Early Intervention Services Report deliverable from Optima. Upon review, the Compliance Unit discovered that the report indicated that Optima failed to adjudicate two (2) clean claims for EI services within 14 days of its receipt in May 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, Optima violated the terms of the Medallion 4.0 contract in failing to adjudicate two clean claims for EI services within 14 days of its receipt.

The Department requests that Optima Family Care adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2891)**

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Report deliverable from Optima. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report contained 1993 less members as compared to the May End of Month 834 report. Optima also incorrectly identified High Risk members as receiving postpartum care but these members were listed as prenatal members.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Optima violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. **(CES # 2964)**

- **Data Submission Error:** The Department timely received the May 2020 Foster Care & Adoption Assistance Member Care Coordination Report from Optima. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report contained 17 less members as compared to the May End of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Optima violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue **(CES # 2953)**.

- **Data Submission Error:** The Department timely received the May 2020 Foster Care Transition Planning Report from Optima. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, Optima submitted the monthly report with a member enrollment error that reflected 95 less members as compared to the May End of Month 834 report. The May EOM 834 report indicates 189 members (AC 076) aged 17 or older however Optima's report contained only 94 members.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Optima violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Optima be issued a **Notice of Non-Compliance (NONC)** without any

associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue. (CES # 2954)

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- **CES # 2167:** May 2019 – MCO Claims Report.
1 point was removed from Optima's total by closing **CES # 2167**

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, Optima showed a moderate level of compliance. Optima timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. One monthly deliverable failed to meet contract adherence requirements for EI claims adjudication within 14 days (addressed above in **CES # 2891**). Three reporting deliverables contained minor data errors (addressed above in **CES # 2953, 2954 & 2964**). In summation, Optima complied with most applicable regulatory and contractual requirement.

UnitedHealthcare

Findings:

- No findings

Concerns:

- **Untimely Payment of EI Claims:** DMAS timely received the May 2020 Early Intervention Services Report deliverable from United. Upon review, the Compliance Unit determined that the report indicated that United failed to adjudicate two (2) clean claim for EI services within 14 days of its receipt in May 2020.

Section 5.5 of the Medallion 4.0 contract requires the MCOs to adjudicate all clean claims for EI services within 14 days of their receipt. Thus, United violated the terms of the Medallion 4.0 contract in failing to adjudicate one clean claim for EI services within 14 days of its receipt.

The Department requests that United adheres to the reporting specifications, as outlined in the Medallion 4.0 Deliverables Technical Manual under section 1.2.6. At this point, no compliance points or financial sanctions will be issued in response to this issue. However, future failure to meet claim adjudication requirements may result in contract compliance enforcement actions, including the issuance of compliance points and financial sanctions.

The Compliance Team recommended that in response to the issue identified above, United be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2913**)

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Report deliverable from United. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report contained 383 less members as compared to the May End Of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, United violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, United be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue **(CES # 2959)**

- **Appeals and Grievances' Report:** The Department timely received the May 2020 Appeals and Grievances' Report deliverable from United. Upon review, a DMAS subject matter expert discovered that the report indicated that United failed to adjudicate one (1) member appeal within 30 days of their filing as required by law and the Medallion 4.0 contract.

Section 12.3 of the Medallion 4.0 contract requires the MCOs to process, resolve, and provide notice to each appeal as expeditiously as the Member's health condition requires and shall not exceed 30 calendar days from the initial date of receipt of the appeal. Thus, United violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, United be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue **(CES # 2962)**

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- **Case # 2166:** May 2019 – MCO Claims Report.
1 point was removed from United's total by closing **CES # 2166**

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, United showed a moderate level of compliance. United timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any

programmatic issues. One reporting deliverable contained minor data errors (addressed above in **CES # 2959**). Two monthly deliverables failed to meet contract adherence requirements for EI claims adjudication within 14 days and timely resolution of internal appeals within 30 days (addressed above in **CES # 2913 & 2962**). In summation, United complied with most applicable regulatory and contractual requirements.

Virginia Premier

Findings:

- No findings

Concerns:

- **Data Submission Error:** The Department timely received the May 2020 MCO Claims Report deliverable from Virginia Premier. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, Virginia Premier submitted this deliverable with 3 errors out of 16 entries for an accuracy rating of 81.25%. Virginia Premier's report from included data for the number of claims paid and denied which did not correctly reflect the number of claims processed (paid or denied). Virginia Premier corrected and resubmitted the report on June 16, 2020 with 100% accuracy.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Virginia Premier violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Virginia Premier be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue **(CES # 2933)**

- **Data Submission Error:** The Department timely received the May 2020 Maternal Care Report deliverable from Virginia Premier. Upon review, a DMAS subject matter expert determined that the report contained data quality errors. Specifically, the member enrollment on this report contained 51 less members as compared to the May End Of Month 834 report.

Section 10.1.E.d.b of the Medallion 4.0 contract requires the MCOs to submit reporting deliverables timely, with accurate data, and in the format specified in the Medallion 4.0 Contract and the Medallion 4.0 Deliverables Technical Manual. Thus, Virginia Premier violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Virginia Premier be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective

actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2960**)

- **Appeals and Grievances' Report:** The Department timely received the May 2020 Appeals and Grievances' Report deliverable from Virginia Premier. Upon review, a DMAS subject matter expert discovered that the report indicated that Virginia Premier failed to adjudicate two (2) appeals within 30 days of their filing as required by law and the Medallion 4.0 contract.

Section 12.3 of the Medallion 4.0 contract requires the MCOs to process, resolve, and provide notice to each appeal as expeditiously as the Member's health condition requires and shall not exceed 30 calendar days from the initial date of receipt of the appeal. Thus, Virginia Premier violated the terms of the Medallion 4.0 contract in the deliverable submission addressed above.

The Compliance Team recommended that in response to the issue identified above, Virginia Premier be issued a **Notice of Non-Compliance (NONC)** without any associated compliance points, financial sanctions, or corrective actions. The CRC agreed with the Compliance Team's recommendation, and voted to issue a **NONC without associated compliance points or financial sanctions** in response to this issue (**CES # 2963**)

MIP/CAP Update:

- No updates

Appeal Decision:

- No appeals

Expiring Points:

- No expiring points

Financial Sanctions Update:

- No outstanding sanctions at this time

Summary:

- For deliverables measuring performance for May 2020, Virginia Premier showed a moderate level of compliance. Virginia Premier timely submitted all 23 required monthly reporting deliverables, and those deliverables did not expose any programmatic issues. One monthly deliverable failed to meet contract adherence requirements the timely resolution of internal appeals within 30 days (addressed above in **CES # 2963**). Two reporting deliverables contained minor data errors (addressed above in **CES # 2933 and # 2960**). In

summation, Virginia Premier complied with most applicable regulatory and contractual requirement.

Next Steps

At this time, the Compliance Unit is continuing monthly Compliance Review Committee meetings, following up on reoccurring issues, and communicating with the MCOs regarding identified issues. The Compliance Unit is in the process of expanding the types of compliance issues it investigates, and involving itself with programmatic issues as well as technical deliverable issues.

The Compliance Unit recently expanded its enforcement efforts into the area of encounter data certifications and Pharmacy Prior Authorization turnaround times.